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TO:	Assistant Commissioner for Patents	FROM:	Neal T. Hauschild
COMPANY:	USPTO	DATE:	2/22/2005
FAX NUMBER:	(703) 872-9306	TOTAL NO. OF PAGES INCLUDING COVER:	7
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	(614) 989-6507
RE:	REPLY TO OFFICIAL ACTION FOR ENTRY Application No. 10/800,996		

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

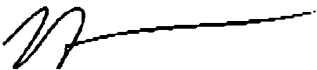
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Assistant Commissioner for Patents

Attached is the formal response to the office action dated November 26, 2004 for application No. 10/800,996.

If you have any questions about the response, do not hesitate to contact me at (614) 989-6507 or by email at ntb@nthlaw.com.

Sincerely,



Neal Hauschild, Esq.

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 2

Application Number 10/800,898
Filing Date 03/16/2004
First Named Inventor Gladney, William
Art Unit 1724
Examiner Name Myers C. Cline
Attorney Docket Number G00011

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
☐ Fee Attached
☒ Amendment/Reply
☐ After Final
☒ Affidavits/Declaration(s)
☐ Extension of Time Request
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Reply to Missing Parts/Incomplete Application
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

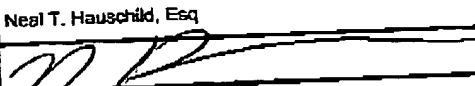
- ☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation
☐ Change of Correspondence Address
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s) _____
☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☐ Other Enclosure(s) (please identify below):

Remarks

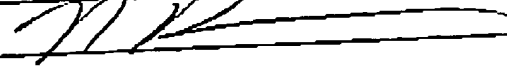
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Neal T. Hauschild, Esq.
Signature 
Printed name Neal T. Hauschild
Date 02/22/2005 Reg. No. 50854

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature 
Typed or printed name Neal T. Hauschild Date 02/22/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

REPLY

Following is the reply to the office action mailed 11/26/2004 for Application number 10/800,996, applicant William Gladney:

1. Per the claim rejections in the detailed action and based on 35 USC §103(a), the subject application is believed to be nonobvious for the following reasons and are deemed to be satisfactory to overcome any rejections stated in the detailed action:

The invention claimed in application 10/800,996 is not obvious to one of ordinary skill in the art due to Teranishi (U.S. Patent No. 4,622,142) and Yanagihara (U.S. Patent No. 4,660,393) in view of Knauf et al. (U.S. Patent 5,510,031) and Poirier (U.S. Patent No. 6,337,015). The prior art does not disclose or even suggest the modification of having a dual filter chamber with separate hot and cold water outlets. All prior art references only have one filtering chamber used to combine hot and cold water, and only have one outlet. There is no suggestion by any prior art references, either explicit or implicit, that a modification of the filtering chamber to be separated for a plurality of water sources would be a success.

Furthermore, no references convey to one skilled in the art that there is a reasonable expectation that a dual filter chamber and separate outlets for hot and cold water would be successful if the modification was made. On the contrary, in light of the teachings of Knauf, a dual filtering chamber appears to be impossible based on the by-pass filter mechanism attached only to the hot water. This specific inclusion of the by-pass mechanism is clear evidence that a dual filter chamber was not capable of achieving the filtering results as the subject invention of this application.

None of the prior art teaching provide enabling methodologies for practicing the claimed invention. The very inclusion of the by-pass mechanism of Knauf that differs from the hot water and cold water inlets clearly shows that the separate filtering chambers and the separate outlets was not considered as being a viable option.

None of the cited patents include a dual water filter chamber or distinctly separate water outlets. As cited in the USPTO office action, the invention in the subject application with its unique separate inlets, separate filtering chambers, and separate

outlets clearly results in "better control [of] the filtration of the water supplied to the washing machine..." This is an unexpected result based on the prior art since the better control over the final temperature is important in the proper washing of clothes.

The prior art and products on the market only have one chamber for water to enter and exit, thus requiring the mixing of hot and cold water either before entering the filter chamber or inside the chamber. Controlling that water flow and the temperature of the output is extremely difficult if not impossible with the cited prior art.

Furthermore, the cited prior art requires modification to the washing machine in order to use the filtering device. If the device is not attached to the washing machine, a separate device of a water diverter (as pictured in Fig. 7 of Yanagiara) needs to be attached to the washing machine to prevent leaking and allow the washing machine to function properly. The subject invention is a "point of use" filtration device that requires no additional tools or skills to set up than a typical washing machine installation.

Additionally, depending on the impurities that are being filtered from the water, a filter cartridge that is commonly used for cold water may not be suitable for hot water. The filter media may be identical, but the filter cartridge that houses the media may be structurally different to prevent filter cartridge failure at higher temperatures. By only having one chamber, a single filter cartridge may be inadequate to achieve the desired filtering of impurities.

If you have any questions, please contact me at (614) 989-6507.

Sincerely,



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